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YOUNG LAW FIRM, P.C. 4370 ALPINE RD. STE. 106 PORTOLA VALLEY, CA 94028			JARRETT, SCOTT L	
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			3623	

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/867,333

Applicant(s)

ROBSON ET AL.

Examiner

Scott L. Jarrett

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-32, 34-49, 51-67 and 69-72 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-13, 15-32, 34-49, 51-67 and 69-72 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 29 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This **Final** Office Action is responsive to Applicant's amendment filed August 16, 2005. Applicant's amendment amended the Specification, amended claims 1-13, 15-32, 34-49, 51-67 and 69-72 and canceled claims 14, 33, 50 and 68. Currently claims 1-13, 15-32, 34-49, 51-67 and 69-72 are pending.

Response to Amendment

2. Applicant's amendment filed on July 27, 2005 with respect to amended claims 1-13, 15-32, 34-49, 51-67 and 69-72 and canceled claims 14, 33, 50 and 68 necessitated new ground(s) of rejection.

The objection to the Specification cited in the first office action, dated May 16, 2005, is withdrawn in response to Applicant's amendment to the Abstract.

The USC 101 rejection of Claims 1-36 cited in the first office action is withdrawn in response to Applicant's amendments to claims 1-13 and 15-32 and cancellation of claims 14 and 33.

Response to Arguments

3. Applicant's arguments with respect to amended claims 1-13, 15-32, 34-49, 51-67 and 69-72 and canceled claims 14, 33, 50 and 68 have been considered but are moot in view of the new ground(s) of rejection.

Specification

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: System and Method For Managing Hierarchically Organized and Interdependent Tasks and Issues.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-13, 15-32, 34-49, 51-67 and 69-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Primavera Project Planner – Planning and Control Guide Version 3.0 (1999) in view of Merant PVCS Tracker – Issue and Change Management Control Reviewer's Guide (August 2000) and Hurd II, U.S. Patent No. 6,222,535.

Regarding Claims 1, 19, 37 and 55 Primavera Project Planner – Planning and Control Guide Version 3.0 (Primavera) teaches a project management system and method for defining, planning, monitoring, controlling and managing projects comprising a plurality of hierarchically (work breakdown structure, outline, levels, etc.; Pages 33, 75, 125-129, 219, 253-) organized and interdependent tasks, activities, processes,

Art Unit: 3623

resources and the like remotely over a computer network comprising (Preface, Pages 4-7, 58-66, 179):

- defining and storing a plurality of tasks (activities, sub-tasks, etc.) having status information in a database (Page 8) that is selectively accessible (permission, security, access control, etc.; Pages 50-52) over a computer network (Pages 7, 58-63, 96, 198-199, 253-254);

- defining and storing two or more (several, plurality, first/second, etc.) dependency relationships (links, associations, "relationship line", "trace logic", "successor", "predecessor", wbs, etc.) between each of the plurality of tasks to define a hierarchy of tasks in a database (Pages 15, 53, 59, 64-66, 96, 199, 253-254) such that the defined tasks are integrated (linked, associated, etc.) into the plurality of other tasks in the project task hierarchy without changing the task dependencies (Page 4, Bullet 6); and

- retrieving (accessing, viewing, etc.) and updating (editing, modifying) of task information (status, description, etc.) stored in a database remotely over a network (Pages 179-191).

Primavera further teaches, "Few projects proceed exactly as planned. The scope of the project changes, some activities fall behind schedule or occur out of sequence, and resource requirements are revised. During the life of a project, you must continually evaluate each project element—schedule dates, resources, and costs." (Page 193) and that the system provides a plurality of mechanisms for managing change including but not limited to: custom data items (fields, columns, information, etc.; Pages 134-136),

Art Unit: 3623

activity logs that collect and store progress, special conditions, and other relevant project information (Pages 167-168) and tasks progress/status monitoring and reporting (Pages 193-197).

Primavera does not expressly teach defining and storing or issues (problems, changes request, change orders, defects, bugs, scope changes, etc.) as claimed.

Merant PVCS Tracker – Issue and Change Management Control Reviewer's Guide (Merant) teaches tracking issues and change requests, in an analogous art of project management for the purposes of managing the project issue lifecycle (Pages 1-5; "teams can easily establish priorities, assign ownership, manage hand-offs and track issues from emergence to resolution.", Page 4, Bullet 1).

More specifically Merant teaches a system and method for managing a project of interdependent tasks (issues, changes, activities, etc.) that represent issues (problems, bugs, changes, etc.) previously unidentified/unknown at the time when the plurality of tasks were defined (Pages 1-2; "Change is a fundamental aspect of any development process.", Page 3, Paragraph 1) and further comprising:

- defining and storing issues and change requests remotely in a database over a network ("Tracker Database", Page 4, Bullet 1; Pages 5, 12) wherein:

- an issue (bug, defect, enhancement request, work request, etc.)
identifying a problem within an identified task whose resolution is
necessary for the necessary task (activity, work item, event, milestone,

Art Unit: 3623

etc.) to be completed and is tracked/monitored (Step 4, Pages 11-12;

“showcases Tracker’s ability to easily capture, manage and communicate issues critical to business success.”, Page 7, Paragraph 2); and

- a change request identifying at least one step (task, process, method, etc.) to be taken to resolve the issue (Step 3, Pages 23-24; Step 5, Pages 25-26)

such that the defined issue/change requests are linked (integrated) into the plurality of other issues/change requests in the project without changing the issue dependencies/links (Page 4, Bullet 6; change history, audit trail, etc.; Page 12).

Merant further teaches that the issue and change control system and method further comprises:

- assigning an entity responsible for the resolution of the issue, change request/order (Page 4, Bullet 2);
- defining and storing issues, change requests/orders comprising statuses, priorities, severity, title, description or a plurality of other standard and/or user-defined fields (Page 4, Bullet 2; Page 11, Page 26, Bullets 1-3);
- assigning access rights to the plurality of issues (access rights, permissions, etc.; Pages 11, 13-14, 23);
- enabling users to attach notes to issues (Step 6, Pages 26-27); and

Art Unit: 3623

- enabling users to view/access, create and update/edit issues and change requests via the Internet (i.e. crosses business/organization/business boundaries; Pages 21, 24-28).

It would have been obvious to one skilled in the art at the time of the invention that the project management system and method as taught by Primavera with its ability to enable project managers (users) to track/monitor project changes and make changes to the project plan/schedule accordingly would have benefited from managing the plurality of unanticipated issues (changes, change requests, change orders, etc.) associated with projects in view of the teachings of Merant; the resultant system enabling project managers to successfully manage (collect, track, monitor, assign, etc.) the plurality of project issues that inevitable rise during any project from emergence to resolution (Merant: Page 4).

Merant does not expressly teach defining and storing a change order wherein the change order defines/identifies the authorized steps to resolve the issue/change request as claimed.

Hurd teaches defining change requests (issues) and change orders (proposed solution) wherein the change requests/orders identify the proposed and authorized (accepted) steps (solution, process, resolution, etc.) for resolving an issue/change request in an analogous art of project issue management for the purposes of insuring

Art Unit: 3623

the proposed solution/resolution is acceptable/satisfactory (Abstract; Column 1, Lines 50-68).

More generally Hurd teaches a method and system for tracking issues comprising the steps of defining issues, assigning issues (responsible entities, assigned party, etc.) and tracking issue resolution/implementation (change request, solution proposal, solution approval/change order; Column 3, Lines 3-46; Figures 1-4). Hurd further teaches that the issue tracking system further comprises:

a change request identifying at least one step (task, process, method, etc.) to be taken pending the authorization (approval, acceptance, etc.) to resolve the issue (Column 3, Lines 3-46; Figures 1-4);

- a plurality of servers, clients, a database and a computer network (Internet; Column 1, Lines 63-68; Column 4, Lines 44-45);

- storing issues/change request and change orders in a database (Column 4, Lines 23-25);

- assigning issues change requests and orders to one of a plurality of statuses (states) including open, hold, assigned, proposed, accepted, closed and void (Figure 3); and

- ensuring only authorized users can access the system (Column 4, Lines 25-27; Column 5, Lines 30-33).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for managing projects as taught by the combination of

Art Unit: 3623

Primavera and Merant would have benefited from generating and approving change orders in view of the teachings of Hurd; the resultant system enabling users to ensure that the proposed solution/resolution to the change request/issue is acceptable/satisfactory (Hurd: Abstract).

Regarding Claims 2, 20, 38 and 56 Primavera teach a project management a method and system further comprising defining access rights for at least one of the plurality of project information (tasks, activities, etc.; Pages 50-52).

Regarding Claims 3, 9, 22, 28, 39, 45, 57 and 63 Primavera teach a project management system and method wherein assigning the access rights/permissions further comprises defining the right (permission) to (Pages 8, 19, 50-52):

- changing the status of at least one of a plurality of tasks (activities, etc.); and
- changing tasks (activity, etc.) dependencies (relationships, links, etc.).

Regarding Claims 4, 23, 40 and 58 Primavera teach a project management system and method wherein the task dependency relationships are selected from at least one of the following: start-start, start-finish, finish-start or finish-finish (Page 64, 100).

Further regarding Claims 4, 23, 40 and 58 it is noted that the specific labels applied to the one or more task dependency relationships represent non-functional

Art Unit: 3623

descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific labels applied to the dependency relationships. Further, the structural elements remain the same regardless of the labels applied to the dependency relationships. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP § 2106.

Regarding Claims 5, 24, 41 and 59 Primavera teach a project management system and method wherein at least one of the dependency relationships defines a lag time between the start and/or finish of at least two tasks (activities, work items, etc.) depending on the dependency relationship (Page 65, 83).

Regarding Claims 6, 25, 42 and 60 Primavera teach a project management system and method wherein the issue (task, change, activity, event, problem, defect, bug, enhancement, support request, etc.) was previously unidentified at the time when the plurality of tasks were defined ("Few projects proceed exactly as planned. The scope of the project changes, some activities fall behind schedule or occur out of sequence, and resource requirements are revised.", Pages 134-136, 167-168 193-197).

Art Unit: 3623

Regarding Claims 7, 26, 43 and 61 Primavera teach a project management system and method wherein each of the defined task (activity, etc.) includes a status and enables updating the status (Pages 181-186, 193-197).

Primavera does not expressly teach issue tracking or subsequently the assignment of a status to issues/change requests as claimed.

Merant teaches assigning status to issues and/or change requests/orders in an analogous art of project issue management for the purposes of managing project issues/changes (Pages 1-5; "teams can easily establish priorities, assign ownership, manage hand-offs and track issues from emergence to resolution.", Page 4, Bullet 1).

It would have been obvious to one skilled in the art at the time of the invention that the project management system and method as taught by Primavera with its ability enable project managers (users) to track/monitor project changes and make changes to the project plan/schedule according would have benefited from managing the plurality of unanticipated issues (changes, change requests, change orders, etc.) associated with projects in view of the teachings of Merant; the resultant system enabling project managers to successfully manage (collect, track, monitor, assign, etc.) the plurality of project issues that inevitable arise during any project from emergence to resolution (Merant: Page 4).

Regarding Claims 8, 27, 44 and 62 Primavera teach a project management system and method wherein the status of the task (issue, activity, work item, etc.) is at least one of: not started, on track (ahead), complete, in trouble (behind), on hold ("suspend") or cancelled (e.g. duration remaining, percent complete, "current progress bar", "ahead of schedule", "behind schedule", etc.; Pages 174-175, 177, 184, 193-197).

Further regarding Claims 8, 27, 44 and 62 it is noted that the specific labels applied to the one or more task statuses represent non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific labels applied to the task statuses. Further, the structural elements remain the same regardless of the labels applied to the task statuses. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP § 2106.

Regarding Claims 10-11, 29, 46-47 and 64-65 Primavera teach a project management system and method further comprising maintaining a graphical representation of the task hierarchy selectively accessible remotely via a network comprising (PERT, Network Chart, WBS; Pages 15, 27, 62, 193-197):

- a plurality of tasks or selected plurality of tasks (Pages 15-16, 29);

Art Unit: 3623

- two or more dependency relationships (Pages 64-66);
- accessible via a web browser (179-191).

Primavera does not expressly teach defining at least one issue, change request or change order as claimed.

Merant teaches defining and storing a plurality of issues and/or change requests/orders in an analogous art of project management for the purposes of managing project issues/changes (Pages 1-5; "teams can easily establish priorities, assign ownership, manage hand-offs and track issues from emergence to resolution.", Page 4, Bullet 1).

It would have been obvious to one skilled in the art at the time of the invention that the project management system and method as taught by Primavera with its ability to enable project managers (users) to track/monitor project changes and make changes to the project plan/schedule according would have benefited from managing the plurality of unanticipated issues (changes, change requests, change orders, etc.) associated with projects in view of the teachings of Merant; the resultant system enabling project managers to successfully manage (collect, track, monitor, assign, etc.) the plurality of project issues that inevitable rise during any project from emergence to resolution (Merant: Page 4).

Art Unit: 3623

Regarding Claims 12, 31, 48 and 66, Primavera teaches a project management system and method further comprising defining and storing in a database (Pages 7-8) at least one entity (person, group, team, etc.) allowed to access and/or having responsibility (ownership, accountability, assigned, etc.) the plurality of tasks (Pages 50-52, 77, 80, 96).

Primavera does not expressly teach assigning ownership and/or access permissions to issues/change orders as claimed.

Merant teaches assigning ownership and access permissions to a plurality of issues and/or change requests/orders (Page 4, Bullet 2; Pages 11, 13-14, 23) in an analogous art of project management for the purposes of controlling access (permissions) to issues and change requests and/or managing project issues/changes from emergence to resolution by assigning a responsible entity (Pages 1-5; "teams can easily establish priorities, assign ownership, manage hand-offs and track issues from emergence to resolution.", Page 4, Bullet 1).

It would have been obvious to one skilled in the art at the time of the invention that the project management system and method as taught by Primavera with its ability to enable project managers (users) to track/monitor project changes and make changes to the project plan/schedule according would have benefited from managing the plurality of unanticipated issues (changes, change requests, change orders, etc.) associated

Art Unit: 3623

with projects in view of the teachings of Merant; the resultant system enabling project managers to successfully manage (collect, track, monitor, assign, etc.) by assigning an entity response for resolving issues/change requests from emergence to resolution (Merant: Page 4).

Regarding Claims 13, 30, 32, 49 and 67 Primavera teach a project management system and method wherein the entity is at least one of the following: project team, project member, subcontractor or vendor (resources, resource group/type/name, Pages 80, 91, 98). More generally Primavera teaches the ability to define, assign, monitor and manage any of a plurality of resources using user-defined resource labels (resources, resource group/type/name, Pages 80, 91, 98).

Further regarding Claims 13, 30, 32, 49 and 67 it is noted that the specific labels applied to the at least one entity represent non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific labels applied to the entity. Further, the structural elements remain the same regardless of the labels applied to the entity. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP § 2106.

Art Unit: 3623

Regarding Claim 15, 34, 51 and 69 Primavera teach a project management system and method wherein the network crosses business enterprises (i.e. Internet – a global network; Pages 179-191).

Regarding Claims 16, 35, 52 and 70 Primavera teach a project management system and method wherein the graphical representation of the task hierarchy (outline, work breakdown structure, PERT, etc.) comprises a selectively expandable tree that shows (displays, presents, etc.; Page 125) a plurality of tasks or plurality of selected tasks and two or more dependency relationships (Pages 15, 27, 125).

Primavera does not expressly teach at least one defined issue, change request or change order as claimed.

Merant teaches defining and storing at least one change request/issue in an analogous art of project issue/change tracking/management for the purposes of managing project issues/changes (Pages 1-5; “teams can easily establish priorities, assign ownership, manage hand-offs and track issues from emergence to resolution.”, Page 4, Bullet 1).

It would have been obvious to one skilled in the art at the time of the invention that the project management system and method as taught by Primavera with its ability to enable project managers (users) to track/monitor project changes and make changes

Art Unit: 3623

to the project plan/schedule according would have benefited from defining and managing the plurality of issues (changes, change requests, change orders, etc.) associated with projects in view of the teachings of Merant; the resultant system enabling project managers to successfully manage (collect, track, monitor, assign, etc.) the plurality of project issues that inevitable rise during any project from emergence to resolution (Merant: Page 4).

Regarding Claims 17, 53 and 71 Primavera teaches prompting users to update project data (Pages 179-186).

Primavera does not expressly teach an issue tracking system and method as claimed.

Merant teaches a project management system and method further comprising prompting (alerting, asking, providing, notifying, etc.) the user to define (update, review, etc.) when at least one issue/ or change request is updated (created, submitted, etc.); i.e. notifying/prompting the user regarding the update issue/change request utilizing plurality of rules (triggers; Step 3, Pages 11-12; Step 4, Pages 24-25), in an analogous art of project issue tracking and management for the purposes of managing project issues/changes (Pages 1-5; "teams can easily establish priorities, assign ownership, manage hand-offs and track issues from emergence to resolution.", Page 4, Bullet 1).

It would have been obvious to one skilled in the art at the time of the invention that the project management system and method as taught by Primavera with its ability to enable project managers (users) to track/monitor project changes and make changes to the project plan/schedule according would have benefited from defining and managing the plurality of issues (changes, change requests, change orders, etc.) associated with projects as well as prompting users to update/review new/updated change requests/issues in view of the teachings of Merant; the resultant system enabling project managers to successfully manage (collect, track, monitor, assign, etc.) the plurality of project issues that inevitable rise during any project from emergence to resolution (Merant: Page 4).

Regarding Claims 18, 36, 54 and 72 Primavera teach a project management system and method further comprising at least one document (file, object) to be associated (linked, embedded) with at least one of the plurality of tasks (Page 168, 243).

Primavera does not expressly teach defining an issue/change request or that the linked/associated document is stored in a database as claimed.

Merant teaches defining and storing at least one change request/issue in an analogous art of project issue/change tracking/management for the purposes of managing project issues/changes (Pages 1-5; "teams can easily establish priorities,

Art Unit: 3623

assign ownership, manage hand-offs and track issues from emergence to resolution.”,
Page 4, Bullet 1).

It would have been obvious to one skilled in the art at the time of the invention that the project management system and method as taught by Primavera with its ability to enable project managers (users) to track/monitor project changes and make changes to the project plan/schedule according would have benefited from defining and managing the plurality of issues (changes, change requests, change orders, etc.) associated with projects in view of the teachings of Merant; the resultant system enabling project managers to successfully manage (collect, track, monitor, assign, etc.) the plurality of project issues that inevitable rise during any project from emergence to resolution (Merant: Page 4).

Official notice is taken that storing documents or other information in a database is old and very well known for providing a convenient mechanism for storing, searching or accessing documents.

It would have been obvious to one skilled in the art at the time of the invention that the project management system and method as taught by the combination of Primavera and Merant with its ability to link project tasks (information) and issues to a plurality of documents (files, notes, information, etc.) would have benefited from utilizing any of a plurality of well known document management systems to store the linked

Art Unit: 3623

information in a database in view of the teachings of official notice; the resultant system enabling users to conveniently access and/or search the relevant project information (documents, files, etc.).

Regarding Claim 21 teach Primavera teach a project management system and method wherein assigning access rights for accessing/updating tasks dependencies (or other task related information) depends on the assigned permission (Pages 50-52).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Dougherty et al., U.S. Patent No. 6,370,575, teach a project management system and method wherein the system establishes a change control process as part of the project management process for the purposes of tracking unanticipated issues and change requests ("Issue Tracker", "Change Tracker", "Change Request Log") via the Internet. Dougherty et al. further teach that the defined and stored plurality of issues/changes requests are assigned to owners responsible for their resolution and are

Art Unit: 3623

tracked utilizing a plurality of statuses (open, re-open, closed, etc.). Dougherty et al. further teach that the change requests and issues are stored in a database and are remotely accessible via a network.

- Underwood, Roy Aaron, U.S. Patent No. 6,523,027, teaches an Internet-based issue tracking system and method wherein the system/method monitor/tracks issues in a plurality of statuses/states and assigns owners who have responsibility for the assigned issue/change request.

- Saito et al., U.S. Patent No. 6,578,006, teach a project management system and method for managing a plurality of tasks.

- LeBlanc et al., U.S. Patent No. 6,675,127, teach a project management system and method wherein the system includes a issue management module for creating, storing and searching a plurality of issues/change requests.

- Fredell et al., U.S. Patent No. 6,678,698, teach a system and method for managing project information via the Internet wherein the system comprises a plurality of subsystems including but not limited to a document vault, project task manager, issue management and security/access control.

- Kudo et al., U.S. Patent Publication No. 2004/0205657, teach a project management system and method wherein the system comprises a plurality of subsystems including but not limited to pending issue management and work item/task management wherein the work items are hierarchically organized.

- Sony Corp., JP 2001016095, teaches an issue management system and method.

- PVCS Links Issue Management with development environment via TrackerLink (1998) teaches the commercial availability of an project management system and method wherein issue/change request management are integrated into a software development environment.

- Fiebus, Andy, Team 98 offers customized views of tasks, progress (1999) teaches a commercially available project management system and method for tracking project tasks and issues wherein team members can track their progress, create reports, attach files, link related/dependent work requests and the like. Feivus further teaches that the system stores issue/task information in a database, provides access control and remote access via the Internet.

- Barnes, Michael, Customization of ERP apps requires development skills (1999), teaches the key role of change management as part of project management wherein change management includes a plurality of key functions including but not limited to issue tracking.

- Choosing an Issue and Change Management Tool (1999) teaches a method for selecting a change control/management system and method wherein the method defines a plurality of features that users should look for in a issue management/change control system.

- UniPress Software launches New Release of Award Winning FootPrints Solution (2000), teaches a system and method for project and issue management.

Art Unit: 3623 .

- McDowell, Samuel, Just-in-time project management (2001), teaches a project management method comprising of a plurality of stages including a control stage that includes task and issue management.

- Lientz, Bennet et al., Breakthrough Technology Project Management (2000), teach a plurality of well known issue management techniques (methods, approaches, etc.)

- UniPress.com Web Pages (Jan 2000 – Jun 2001) teaches the commercially availability of an issue management system and method comprising issue monitoring/tracking and workflow (escalation, auto-routing, etc.) capabilities.

- Merant.com Web Pages (Jan 2000) teaches a commercially available issue/change request management system and method (PCVS Tracker) wherein the system automatically captures and tracks project issues as well as enables users to assign priorities, ownerships, hand-offs and the like.

- PVCS Tracker Web Interface (Aug 2000) teaches an Internet based issue management system and method.

- PVCS Tracker Overview (Aug 2000) teaches an issue management system and method that enables users to manage project issues from emergence to resolution. The article further teaches the automatic notification (prompting) of users of issues that need/require attention.

Art Unit: 3623

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SJ

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TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3800